

1           IN THE UNITED STATES DISTRICT COURT FOR THE  
2                   SOUTHERN DISTRICT OF MISSISSIPPI  
3                   EASTERN DIVISION

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4       MARQUIS TILMAN,  
5               Plaintiff,

6  
7       VS.                               Civil No. 2:20-cv-10-KS-MTP

8       CLARKE COUNTY, MISSISSIPPI, et al.

9               Defendants.

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13                   DEPOSITION  
14                               OF  
15                   JUSTIN RAWSON  
16               SEPTEMBER 29, 2021

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22  
23       ALPHA REPORTING -- A VERITEXT COMPANY  
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<p>1 The deposition of JUSTIN RAWSON is taken</p> <p>2 on this, the 29th day of September 2021, on</p> <p>3 behalf of the Plaintiff, pursuant to notice and</p> <p>4 consent of counsel, beginning at approximately</p> <p>5 3:30 p.m. via Zoom video conference.</p> <p>6 This deposition is taken pursuant to the</p> <p>7 terms and provisions of the Federal Rules of</p> <p>8 Civil Procedure.</p> <p>9 All forms and formalities are waived.</p> <p>10 Objections are reserved, except as to form of the</p> <p>11 question, to be disposed of at or before the</p> <p>12 hearing.</p> <p>13 The signature of the witness is not</p> <p>14 waived.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 2</p>	<p>1 I N D E X</p> <p>2</p> <p>3 EXAMINATION INDEX</p> <p>4</p> <p>JUSTIN RAWSON</p> <p>5 BY MR. MOORE 5</p> <p>6</p> <p>7</p> <p>8 EXHIBIT INDEX</p> <p>9 EXHIBIT NO. DESCRIPTION PAGE</p> <p>10 EXHIBIT NO. 1 Statement of Justin Rawson. 19</p> <p>CLT Tilman 90</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20 COURT REPORTER'S CERTIFICATE 34</p> <p>21</p> <p>22 ERRATA SHEET 35</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 4</p>
<p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 FOR THE PLAINTIFF:</p> <p>4 CARLOS MOORE, ESQ.</p> <p>Cochran Firm</p> <p>5 306 Branscome Drive</p> <p>Grenada, Mississippi 38902</p> <p>6 601-227-9940</p> <p>cmoore@cochranfirm.com</p> <p>7</p> <p>8</p> <p>9 FOR THE DEFENDANT:</p> <p>10 JESSICA MALONE, ESQ.</p> <p>Allen, Allen, Breeland &amp; Allen</p> <p>11 214 Justice Street</p> <p>Brookhaven, Mississippi 39601</p> <p>12 601-833-4361</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20 COURT REPORTING FIRM:</p> <p>21 ALPHA REPORTING -- A VERITEXT COMPANY</p> <p>Polly W. Wardlaw, LCR, CCR</p> <p>22 236 Adams Avenue</p> <p>Memphis, Tennessee 38103</p> <p>23 901-523-8974</p> <p>pollywardlawccr@mail.com</p> <p>24 www.Veritext.com</p> <p>25</p> <p style="text-align: right;">Page 3</p>	<p>1 JUSTIN RAWSON,</p> <p>2 Having been first duly sworn, was</p> <p>3 examined and testified as follows:</p> <p>4 EXAMINATION</p> <p>5 BY MR. MOORE:</p> <p>6 Q. My name is Carlos Moore. I represent</p> <p>7 Marquis Tilman. This lawsuit has been filed</p> <p>8 against you and several other deputies as well as</p> <p>9 Clarke County. I'll be asking you questions on</p> <p>10 his behalf.</p> <p>11 Have you ever given a deposition before?</p> <p>12 A. No, sir.</p> <p>13 Q. State your name?</p> <p>14 A. Justin Rawson.</p> <p>15 Q. Have you ever gone by any other name or</p> <p>16 alias?</p> <p>17 A. No, sir.</p> <p>18 Q. Give me your address.</p> <p>19 A. 1091 Highway 511, Quitman, Mississippi,</p> <p>20 39355.</p> <p>21 Q. How long have you resided there?</p> <p>22 A. Approximately six months.</p> <p>23 Q. Who lives there with you?</p> <p>24 A. My wife and my daughter.</p> <p>25 Q. What's your wife's name?</p> <p style="text-align: right;">Page 5</p>

1 A. Gabriel Rawson.  
2 Q. What's her maiden name?  
3 A. Skidmore, S-K-I-D-M-O-R-E.  
4 Q. How long have you been married to  
5 Gabriel?  
6 A. Since 2014.  
7 Q. Do you have any ex-wives or ex-wife?  
8 A. No, sir.  
9 Q. Any adult children?  
10 A. No, sir.  
11 Q. What is your date of birth?  
12 A. October 25, 1993.  
13 Q. How old are you?  
14 A. I am 27 years old as of today.  
15 Q. Do you have other relatives in the  
16 general vicinity in south Mississippi besides  
17 your wife?  
18 A. My closest relative lives probably 60  
19 miles from here.  
20 Q. Who is that?  
21 A. My father and my brother.  
22 Q. What are their names?  
23 A. Father's name is Steve Rawson.  
24 Q. Okay.  
25 A. Brother's name is Allen Rawson. As well

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1 as my sister and her children.  
2 Q. What's your sister's name?  
3 A. They also live in the same area.  
4 Q. What your sister's name?  
5 A. Kerri Dillard.  
6 Q. What her husband's name?  
7 A. She is not married.  
8 Q. Is she divorced?  
9 A. No, sir.  
10 Q. Is your mother living?  
11 A. Say that again.  
12 Q. Is your mother alive?  
13 A. Yes, she is.  
14 Q. And does she live in south Mississippi?  
15 A. No, sir.  
16 Q. Okay. What year did you finish high  
17 school?  
18 A. I couldn't hear you, sir.  
19 Q. What year did you finish high school?  
20 A. 2012.  
21 Q. What high school?  
22 A. I graduated -- I went to Quitman High  
23 School up until my last year. My last year I  
24 went and attended Kemper Academy.  
25 Q. Kemper Academy?

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1 A. Yes, sir.  
2 Q. And you finished at Kemper?  
3 A. I did.  
4 Q. Did you go to college?  
5 A. Not immediately, but I recently did,  
6 yes.  
7 Q. Where did you go?  
8 A. I graduated with an associate's degree  
9 from Meridian Community College. I'm currently a  
10 student at Southern Miss University.  
11 Q. What was your associate's in?  
12 A. University transfer of engineering.  
13 Q. And what are you majoring in at USM?  
14 A. Industrial engineering technology.  
15 Q. Okay. Have you been to the law  
16 enforcement academy?  
17 A. I have.  
18 Q. When did you go?  
19 A. I went to the Southern Regional Public  
20 Safety Institute in 2016.  
21 Q. Where is that located?  
22 A. Just -- I think it's just south of  
23 Hattiesburg. It's on Camp Shelby.  
24 Q. Okay. What was your first law  
25 enforcement job?

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1 A. Quitman Police Department.  
2 Q. Any other law enforcement jobs?  
3 A. Clarke County Sheriff's Department.  
4 Q. When did you start at Clarke County?  
5 A. 2017.  
6 Q. And you've been there since?  
7 A. No, sir.  
8 Q. What happened after 2017?  
9 A. I actually left and I worked on a land  
10 rig in the oil field for a very short amount of  
11 time. And I came back and (inaudible) and I have  
12 been since.  
13 Q. You came back and what?  
14 A. I came back home from offshore and I  
15 went to work at Quitman Police Department again,  
16 and that's where I still work to this day.  
17 Q. So now you're back at Quitman. What's  
18 your position at Quitman?  
19 A. I am a narcotics investigator for 24  
20 Clarke County Task Force. I'm a representative  
21 for the city for the task force.  
22 Q. Okay. So you still interact with a lot  
23 of the sheriff's deputies?  
24 A. Yes, sir.  
25 Q. Who's your boss?

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<p>1 A. I technically have two.</p> <p>2 Q. Who are they?</p> <p>3 A. My immediate boss is the Chief of</p> <p>4 Police, Chief Michael McCarra. And the other</p> <p>5 boss --</p> <p>6 Q. Okay.</p> <p>7 A. Say again?</p> <p>8 Q. And your other boss is?</p> <p>9 A. Sheriff Todd Kemp. And I also answer to</p> <p>10 Chief Deputy Barry White as well.</p> <p>11 Q. Who pays you?</p> <p>12 A. Quitman Police Department does.</p> <p>13 Q. Okay. Have you ever been a member of</p> <p>14 any racially exclusive organization?</p> <p>15 A. No, sir.</p> <p>16 Q. Have you ever been convicted of any</p> <p>17 crime?</p> <p>18 A. No, sir.</p> <p>19 Q. Have you ever been accused of excessive</p> <p>20 force?</p> <p>21 A. No, sir.</p> <p>22 Q. Have you ever been terminated from a</p> <p>23 job?</p> <p>24 A. I didn't get the question.</p> <p>25 Q. Have you ever been terminated from a</p> <p style="text-align: right;">Page 10</p>	<p>1 A. No, sir.</p> <p>2 Q. Have you ever been forced to resign from</p> <p>3 a job?</p> <p>4 A. No, sir.</p> <p>5 Q. Have you ever been disciplined on any</p> <p>6 job?</p> <p>7 A. No, sir.</p> <p>8 Q. Have you ever been the subject of any</p> <p>9 Internal Affairs investigation?</p> <p>10 A. No, sir.</p> <p>11 Q. Have you ever sued anyone?</p> <p>12 A. No, sir, I haven't.</p> <p>13 Q. Have you ever been sued besides this</p> <p>14 lawsuit?</p> <p>15 A. I've been named in a lawsuit.</p> <p>16 Q. Okay.</p> <p>17 A. But I don't know how it turned out. I</p> <p>18 haven't heard anything since.</p> <p>19 Q. What were the allegations against you in</p> <p>20 that lawsuit?</p> <p>21 A. Wrongful arrest.</p> <p>22 Q. Who was the plaintiff?</p> <p>23 A. An individual by the name of Jonathan</p> <p>24 Gaines, G-A-I-N-E-S.</p> <p>25 Q. Is that lawsuit still ongoing?</p> <p style="text-align: right;">Page 12</p>
<p>1 job?</p> <p>2 A. Yes, sir, I have.</p> <p>3 Q. Which job?</p> <p>4 A. When I was a teenager I was terminated</p> <p>5 from Southern Market as a grocery bagger.</p> <p>6 Q. How did you lose your job as a grocery</p> <p>7 bagger?</p> <p>8 A. I think it was more of a layoff than it</p> <p>9 was a fire.</p> <p>10 Q. Tell me more about that.</p> <p>11 A. I was a teenager. I came into work one</p> <p>12 day and they said they didn't need me anymore, so</p> <p>13 I left.</p> <p>14 Q. Did they ever rehire you?</p> <p>15 A. No, sir.</p> <p>16 Q. Did they tell you why they didn't need</p> <p>17 you?</p> <p>18 A. No, sir, they didn't.</p> <p>19 Q. Did they tell anyone else that?</p> <p>20 A. Not to my knowledge.</p> <p>21 Q. Did you not bag the groceries good?</p> <p>22 A. I don't know. Nobody told me.</p> <p>23 Q. Okay. Were you dropping things?</p> <p>24 A. Not that I know of.</p> <p>25 Q. Were you mean to people?</p> <p style="text-align: right;">Page 11</p>	<p>1 A. I have no idea.</p> <p>2 Q. Who's representing you?</p> <p>3 A. It's a last name Berry out of Meridian.</p> <p>4 That's the attorney that represents the City of</p> <p>5 Enterprise in lawsuits.</p> <p>6 Q. Okay. What are the allegations?</p> <p>7 Wrongful arrest. Tell me more. What's he saying</p> <p>8 you did or didn't do?</p> <p>9 A. Mr. Gaines alleged that he was</p> <p>10 wrongfully arrested for a warrant that didn't</p> <p>11 belong -- that the warrant was not for him.</p> <p>12 Q. Was the warrant out for him?</p> <p>13 A. It said Jonathan Gaines, so I executed</p> <p>14 the arrest for possession of marijuana as well as</p> <p>15 the warrant.</p> <p>16 Q. Was that individual black or white?</p> <p>17 A. He was a black male.</p> <p>18 Q. Any other blacks you got into it with?</p> <p>19 A. I'm sorry, I don't understand the</p> <p>20 statement "got into it with".</p> <p>21 Q. Any other blacks have a problem with you</p> <p>22 besides Marquis Tilman and Jonathan Gaines?</p> <p>23 A. I don't know.</p> <p>24 Q. Do you have any black friends?</p> <p>25 A. I've got several.</p> <p style="text-align: right;">Page 13</p>

1 Q. Tell me their names.  
2 A. Got a really good friend I was in the  
3 military with named Jesse Trayor.  
4 Q. Okay.  
5 A. Another really good friend I was in the  
6 military with named Delton Ray Cristol.  
7 Q. Okay.  
8 A. Should I keep going?  
9 Q. Yes. You said you had several. That's  
10 just two.  
11 A. Yes, sir. I've got another friend  
12 that's local named Deandre Smith as well as his  
13 wife Kayla.  
14 Q. Okay.  
15 A. Right off the top of my head that's who  
16 I can think of. Those are probably my closest.  
17 Q. Your closest black friends?  
18 A. Yes, sir.  
19 Q. Do you go to church?  
20 A. Not really.  
21 Q. Did you play ball?  
22 A. I wasn't very good so I didn't play  
23 long. I played baseball.  
24 Q. Who did you play baseball for?  
25 A. Quitman as well as Kemper Academy.

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1 Q. At Kemper did you have any black people  
2 on your team?  
3 A. You broke up, sir.  
4 Q. At Kemper Academy were there any black  
5 guys on the team?  
6 A. No, sir.  
7 Q. Just a bunch of white guys?  
8 A. Yes, sir.  
9 Q. Why were there no blacks?  
10 A. There was none in the school.  
11 Q. Why did you go to a racially exclusive  
12 school?  
13 A. Because that's where I was sent by my  
14 father.  
15 Q. Why did your father send you to a  
16 racially exclusive school?  
17 A. I don't know.  
18 Q. Did you like it there?  
19 A. It was just a route to get to the  
20 military, to graduate.  
21 Q. All right. Did you have black  
22 classmates at the other school?  
23 A. Yes, sir.  
24 Q. Which one did you prefer?  
25 A. That's where I met Deandre.

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1 Q. My question was did you prefer Quitman  
2 or Kemper?  
3 A. Neither. It was just school. Back then  
4 I didn't really care about school very much.  
5 Q. Okay. Have you ever used the N word?  
6 A. Not that I can think of.  
7 Q. Not that you can think of but you can't  
8 tell me no?  
9 A. No.  
10 Q. But it's possible that you have used it?  
11 A. I don't remember ever using it.  
12 Q. You don't remember ever using it?  
13 A. No, sir.  
14 Q. But you can't tell me under oath that  
15 you have never used it; is that correct?  
16 A. I can tell you that I don't recall ever  
17 using the word.  
18 Q. Don't recall and don't remember, but you  
19 can't tell me that you've never used it, can you?  
20 A. I'll refer to my last answer of I can't  
21 recall ever using the word.  
22 Q. I heard you loud and clear when you said  
23 it the first time. I'm just trying to confirm  
24 that you cannot say under oath that you have  
25 never used it.

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1 A. I can't say under oath definitely that  
2 I've never used any word.  
3 Q. Including --  
4 A. Including that word.  
5 Q. All right. How does it make you feel  
6 not to know if you've ever used or uttered the N  
7 word?  
8 A. I think it's irrelevant.  
9 Q. You think it's irrelevant?  
10 A. Yes, sir.  
11 Q. Do black lives matter?  
12 A. Yes, sir, absolutely.  
13 Q. Have you ever said those three words?  
14 A. Yes, sir.  
15 Q. Let me hear you say them?  
16 A. Black lives matter.  
17 Q. All right. Thank you, sir. That didn't  
18 cause you any kind of distress to say those  
19 words?  
20 A. Not at all.  
21 Q. Do you recall -- you say you've never --  
22 you've been sued one other time. Have you sued  
23 anybody?  
24 A. No, sir.  
25 Q. Have you ever filed bankruptcy?

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<p>1 A. No, sir, I haven't.</p> <p>2 Q. Have you ever filed a workers' comp</p> <p>3 claim?</p> <p>4 A. I have not.</p> <p>5 Q. Let's turn to March 21st, 2019. Do you</p> <p>6 recall that day?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Is that the day that there was a chase</p> <p>9 with Marquis Tilman?</p> <p>10 A. The pursuit of Marquis Tilman, yes, sir.</p> <p>11 Q. Okay. Did you do a report or a</p> <p>12 statement after that chase?</p> <p>13 A. I did.</p> <p>14 Q. Who asked you to do the statement?</p> <p>15 A. I just knew to do a statement. It's a</p> <p>16 felony case. Every officer involved needs to do</p> <p>17 a statement for a felony case.</p> <p>18 Q. Okay.</p> <p>19 A. Locally they had to do a statement, but</p> <p>20 I knew to do a statement.</p> <p>21 Q. Did you sign the statement?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Is that your signature?</p> <p>24 A. Yes, sir.</p> <p>25 Q. And what date is that?</p> <p style="text-align: right;">Page 18</p>	<p>1 in his vehicle. I went to 1502 North Archusa</p> <p>2 Avenue, one of the places that Mr. Tilman may</p> <p>3 have been at. And I can't remember exactly where</p> <p>4 Agent Ben Ivy went, but I do remember when Ben</p> <p>5 realized he had found him, he called it over the</p> <p>6 radio and I began to head that way. Before I got</p> <p>7 anywhere close to where they were at he had</p> <p>8 already given the 10 code for vehicle in pursuit,</p> <p>9 1094. And he was calling out his location.</p> <p>10 I jumped in the chase at I believe it's</p> <p>11 West Lynda Street and North Jackson, and I fell</p> <p>12 in behind them. And I pretty quickly started to</p> <p>13 drift behind them because my vehicle was nowhere</p> <p>14 near as fast as those two vehicles were.</p> <p>15 The chase wound up on 45. On 45 I was a</p> <p>16 good bit behind both of them. That's when the</p> <p>17 other officers had caught up to me, and I was</p> <p>18 advised to move to the other lane so the other</p> <p>19 officers could pass me because their vehicles</p> <p>20 were faster and could be used better. So I did</p> <p>21 so.</p> <p>22 The chase went on all the way to I think</p> <p>23 a little bit north of Highway 514. That's when</p> <p>24 Mr. Tilman attempted to turn around. Past 514,</p> <p>25 north of 514 he attempted to turn around. And I</p> <p style="text-align: right;">Page 20</p>
<p>1 A. It is. March 22, 2019.</p> <p>2 Q. Okay.</p> <p>3 MR. MOORE: We're going to attach</p> <p>4 Mr. Rawson's statement as Exhibit 1 to his</p> <p>5 deposition.</p> <p>6 (WHEREUPON, THE ABOVE-MENTIONED DOCUMENT</p> <p>7 WAS MARKED AS EXHIBIT NO. 1 TO THE TESTIMONY OF</p> <p>8 THE WITNESS AND IS ATTACHED HERETO.)</p> <p>9 BY MR. MOORE:</p> <p>10 Q. In your own words tell me what you</p> <p>11 recall about the pursuit of Mr. Tilman.</p> <p>12 A. I recall we were in a class that day</p> <p>13 with the District Attorney's Office, and she was</p> <p>14 addressing some things that she expected from us</p> <p>15 as case agents or case investigators.</p> <p>16 After that class, pretty quick after</p> <p>17 that class, Agent Ben Ivy informed me that he</p> <p>18 received an anonymous tip stating that Mr. Tilman</p> <p>19 was in possession of a stolen firearm or stolen</p> <p>20 firearms. So we began to look around town for</p> <p>21 him. If I remember correctly, that same</p> <p>22 individual who gave the anonymous tip stated that</p> <p>23 he was in or around Quitman at the time. So we</p> <p>24 began searching for him.</p> <p>25 I was in my vehicle. Agent Ben Ivy was</p> <p style="text-align: right;">Page 19</p>	<p>1 heard he was turning around. I was right at 514</p> <p>2 at the time, so I just looped around and I was</p> <p>3 going to try to get in front of him to stop him.</p> <p>4 I failed to do so. He passed me. And shortly</p> <p>5 after that two more vehicles passed me. I</p> <p>6 believe it was Billy Lewis in one and it was</p> <p>7 Anthony Chancellor in the other. And I cannot</p> <p>8 remember if there was a third in front of me at</p> <p>9 that moment.</p> <p>10 We went one or two miles back south and</p> <p>11 that's when Deputy Chancellor performed a maneuver</p> <p>12 to spin the car out. Before that happened,</p> <p>13 Deputy Billy Lewis and Anthony tried to box him</p> <p>14 in, and he started trying to almost like ram the</p> <p>15 vehicles. And that didn't work, so that's when</p> <p>16 Anthony hit the bumper of the vehicle and</p> <p>17 Mr. Tilman began to spin.</p> <p>18 After that happened, the car comes to a</p> <p>19 rest. There's a bunch of vehicles coming up. I</p> <p>20 finally pull up. As I'm getting out of my</p> <p>21 vehicle I hear two gun shots. And it had been</p> <p>22 called over the radio several times that</p> <p>23 Mr. Tilman kept reaching in the passenger's</p> <p>24 floorboard of his vehicle. And the tip was that</p> <p>25 he was possibly in possession of weapons, so we</p> <p style="text-align: right;">Page 21</p>

<p>1 definitely were mindful of that possibility. And  2 when I heard two gunshots I immediately thought  3 that maybe there were shots exchanged.  4 So I came out with my weapon drawn and  5 approached the right side of the vehicles where I  6 seen Mr. Tilman on the ground and several  7 deputies were trying to secure him. Once I got  8 up there to him I grabbed my handcuffs out  9 because I noticed the deputies were trying to  10 gain control of his arms. Once they gained  11 control of his arms, I cuffed Mr. Tilman and  12 pretty well immediately started to search the  13 vehicle.  14 Q. All right. So you saw most of the  15 pursuit and you participated in the pursuit, and  16 you were the one who cuffed Mr. Tilman, correct?  17 A. I only got -- all I got of that was you  18 were the one who cuffed Mr. Tilman.  19 Q. You were involved in the pursuit and  20 then you cuffed Mr. Tilman after the pursuit was  21 over and the vehicles had crashed, correct?  22 A. Correct.  23 Q. All right. Isn't it true that  24 Mr. Tilman immediately surrendered to the cops,  25 the deputies, after the crash?</p> <p style="text-align: right;">Page 22</p>	<p>1 the neck of George Floyd where he couldn't hardly  2 breathe?  3 A. In no way, shape, or form.  4 Q. Isn't it true that Mr. Tilman told the  5 deputies including Deputy Lewis that he could not  6 breathe after he was handcuffed? He was having  7 difficulty breathing?  8 A. I don't recall. If he did I don't  9 remember that at all.  10 Q. All right. Did you see Deputy Lewis's  11 report?  12 A. As in did I read Deputy Lewis's report,  13 no.  14 Q. Yes. If Deputy Lewis said that Tilman  15 told him he was still having trouble breathing,  16 would you have any reason to believe that -- any  17 reason not to believe that?  18 A. That Mr. Tilman didn't say that? Or did  19 say it?  20 Q. Let me be very clear.  21 A. Yes, sir.  22 Q. If Deputy Lewis has testified and put in  23 his statement that Mr. Tilman said he was having  24 trouble breathing because he was laying on his  25 stomach, do you have any reason not to believe</p> <p style="text-align: right;">Page 24</p>
<p>1 A. No, sir.  2 Q. Was there a struggle of some sort?  3 A. Mr. Tilman had his arms underneath him,  4 which is a giant cause of concern because of the  5 possibility of him having a weapon.  6 Q. Okay. And what happened?  7 A. The deputies got control of his arms and  8 we cuffed him.  9 Q. How did the deputies get control of his  10 arms?  11 A. If I remember correctly, Officer Lewis  12 pretty well had him to where he couldn't get up,  13 and I think he just wound up giving out and  14 giving us his arms.  15 Q. What did Officer Lewis do to him where  16 he couldn't get out and had to give up?  17 A. He had himself placed to where  18 Mr. Tilman couldn't get up and continue to run.  19 Q. Where did he place himself?  20 A. On the back of Mr. Tilman from what it  21 looked like.  22 Q. Was it his back or his neck?  23 A. His back I believe. Shoulder area.  24 Q. Was it similar to the George Floyd  25 situation where Derek Chauvin was on the back of</p> <p style="text-align: right;">Page 23</p>	<p>1 that?  2 A. Hello? I can't -- it's breaking up too  3 bad. You're breaking up really bad, sir.  4 Q. If Lewis says that Tilman said he had  5 difficulty breathing because he was laying on his  6 stomach while they were trying to arrest him, do  7 you have any different information?  8 A. No, sir.  9 Q. So this really could have been another  10 George Floyd situation where Lewis put his weight  11 on this little man?  12 A. Again, you started breaking up and all I  13 heard was little man.  14 Q. This could have been another George  15 Floyd situation, couldn't it? Hello?  16 A. I got you now.  17 Q. This could have been another George  18 Floyd situation?  19 A. No, sir.  20 Q. Why not? This man said he couldn't  21 breath. George Floyd couldn't breathe. George  22 Floyd had pressure on his back or the back of his  23 neck when he died.  24 How long was Lewis on the back of this  25 man's back as you stated?</p> <p style="text-align: right;">Page 25</p>

1 A. Not very long. Just long enough for him  
2 to get cuffed which would have been less than an  
3 minute and a half. Probably less than a minute.  
4 Q. But long enough for this individual,  
5 Mr. Tilman, to say he could not breathe, couldn't  
6 hardly breathe, he had difficulty breathing,  
7 correct?  
8 A. Apparently, yes, sir, if that's what's  
9 in his statement.  
10 Q. Okay.  
11 A. I can't testify as to what's in someone  
12 else's statement.  
13 Q. Did you hear him say he couldn't  
14 breathe?  
15 A. I didn't. If he did, he did. I wasn't  
16 paying attention to that. I was trying to get  
17 him cuffed.  
18 Q. Did you ever tell Lewis to get off the  
19 man's back or his neck and let him breathe?  
20 A. No, sir. I didn't have to.  
21 Q. Did you ever tell anyone to stop beating  
22 the man while he was in handcuffs?  
23 A. No one beat him while he was in  
24 handcuffs. That didn't happen.  
25 Q. Did you ever hear the sheriff say beat

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1 the man's ass over the radio?  
2 A. I couldn't -- say that again.  
3 Q. Did you ever hear Sheriff Kemp say beat  
4 the man's ass? Shut him down and beat his ass?  
5 A. I know the statement you're referring  
6 to. At the time of the chase I heard the sheriff  
7 say something. After the fact, I heard about  
8 what he had said, yes.  
9 Q. You couldn't understand him when he said  
10 it?  
11 A. I could not.  
12 Q. Okay. Were you shocked to learn the  
13 report of what he had said?  
14 A. Yes.  
15 Q. Why were you shocked?  
16 A. Because it was very -- it wasn't a smart  
17 thing to say. It was very unprofessional.  
18 Q. Did you follow the command of your  
19 superior officer and beat the man's ass?  
20 A. No, sir.  
21 Q. Why not?  
22 A. Because there wasn't a just command and  
23 it wasn't made to be a command. I believe he  
24 said it out of emotion more than anything.  
25 Q. Did you ask him was it a command?

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1 A. No, sir. I didn't have to. I knew it  
2 wasn't.  
3 Q. How did you know?  
4 A. Because I know that he wouldn't say  
5 something like that and mean it as a command.  
6 Q. How else would he -- was it a joke?  
7 A. No, sir. Like I said, it was probably  
8 emotion.  
9 Q. People in leadership are expected not to  
10 let their emotions get the best of them, correct?  
11 A. Correct. But at the same time  
12 everybody's human. Everybody makes mistakes.  
13 Everybody can get overrun by emotion especially  
14 when you have someone endangering the lives of  
15 the motoring public as Mr. Tilman was.  
16 Q. You're 27, so two years ago you would  
17 probably have been 25 years of age?  
18 A. Yes, sir.  
19 Q. And you don't think if you heard someone  
20 say beat somebody's ass, you don't think you were  
21 impressionable and would have done it?  
22 A. Absolutely not.  
23 Q. You were still young and wet behind the  
24 ears, weren't you?  
25 A. I had lived a long life by the time I


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1 was 25, sir. I served in the military and I grew  
2 up quick.  
3 Q. Still relatively young, correct?  
4 A. Say that again.  
5 Q. You were still relatively young.  
6 A. Yes, sir, I was.  
7 Q. And you don't believe you would have  
8 been misled by somebody in their 50s telling you  
9 to beat somebody's ass?  
10 A. No.  
11 Q. You have enough good sense not to do it?  
12 A. Yeah, I have enough maturity to realize  
13 that not only was that not a command, that's an  
14 unjust command if it was a command.  
15 Q. And you don't have to follow unjust  
16 commands?  
17 A. I won't. Whether I do or don't, I  
18 won't.  
19 Q. How were you trained in the military?  
20 Can you go against a general?  
21 A. If it's an unjust command, yes.  
22 Q. Okay. Were y'all trained to  
23 differentiate between just and unjust commands?  
24 A. Yes.  
25 Q. What class is that taught in?

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<p>1 A. It's taught in the Marine Corp basic 2 training. It's also relatively common sense. 3 Q. Why do you say that? 4 A. Because it is. It's common sense if 5 something seems right or wrong, it seems right or 6 wrong. If something's wrong, it's wrong. If 7 something's right, it's right. 8 Q. Okay. Do you know if any of your other 9 colleagues that may not have been as bright as 10 you or as strong as you that followed the 11 sheriff's command to beat the man's ass? 12 A. No, sir. 13 Q. You don't know of a one? 14 A. No, sir. 15 Q. Have you asked any did they take him 16 seriously and follow the command? 17 A. I didn't get your question. 18 Q. Did you ask anyone did they take it 19 seriously and beat the man's ass as the sheriff 20 directed? 21 A. No, sir. 22 Q. You just assumed no one took him 23 seriously? 24 A. I was there. No one took it seriously. 25 Q. Okay. Did you find a weapon on</p> <p style="text-align: right;">Page 30</p>	<p>1 this incident? 2 A. He had minor injuries. He had some 3 blood on him probably due to the vehicular stuff 4 that was going on when he was pit maneuvered, 5 when he rammed the deputy. I think he had been 6 in a car crash sometime before that. Yeah, he 7 was injured but nothing due to being beaten. 8 Q. Why do you assume it was from the 9 accident rather than the beating as he alleged? 10 A. Because the beating didn't happen. 11 Q. How do we know that? Why should we 12 believe you or why should the jury believe you? 13 A. All I can do is tell the truth. It's up 14 to the jury or whoever to believe it or not. 15 Q. You know of Mississippi's sordid history 16 of whites beating blacks. Do you believe the 17 jury should just believe that this did not occur 18 because you said it didn't occur? Even when you 19 have the sheriff already giving the command to 20 beat the man? 21 A. I would hope so because it's the truth. 22 Q. And the man has visible injuries and 23 it's going to be up to the jury to believe you or 24 Mr. Tilman or whoever they want to believe, 25 correct?</p> <p style="text-align: right;">Page 32</p>
<p>1 Mr. Tilman? 2 A. On him? 3 Q. Yes. 4 A. Like on his person, no. 5 Q. On his person? 6 A. I did not. 7 Q. Did you find a weapon near him? 8 A. I found a weapon inside the vehicle. 9 Q. Was there anyone else in that vehicle? 10 A. No. 11 Q. Do you think the situation could have 12 been handled differently with Mr. Tilman? 13 A. Yes, sir, I do. 14 Q. What do you think -- 15 A. I think he could have stopped when he 16 seen blue lights and I think he could have got 17 arrested like he should have. 18 Q. Do you think you would be here today if 19 the sheriff had not been so ignorant as to say 20 over the radio to beat the man's ass? 21 A. I can't say for sure because I don't 22 know if Mr. Tilman would have filed a lawsuit 23 anyway or not. 24 Q. Did you see Mr. Tilman? Did he appear 25 to be beat up or injured in any type of way after</p> <p style="text-align: right;">Page 31</p>	<p>1 A. It's up to the jury, correct. 2 Q. All right. Is there anything you want 3 to tell me that I did not ask that you want to 4 just tell me, that's on your heart to tell me? 5 A. No, sir. 6 MR. MOORE: I tender the witness. 7 MS. MALONE: I have no questions for 8 this witness. 9 (WHEREUPON, THE DEPOSITION CONCLUDED AT 10 4:07 p.m.) 11 (FURTHER DEPONENT SAITH NOT.) 12 (SIGNATURE NOT WAIVED.) 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 33</p>

<p>1 CERTIFICATE</p> <p>2</p> <p>3 STATE OF MISSISSIPPI:</p> <p>4 COUNTY OF DESOTO:</p> <p>5 I, POLLY W. WARDLAW, Court Reporter</p> <p>6 and Notary Public, DeSoto County, Mississippi,</p> <p>7 CERTIFY:</p> <p>8 The foregoing proceedings were taken</p> <p>9 before me at the time and place stated in the</p> <p>10 foregoing styled cause with the appearances as</p> <p>11 noted.</p> <p>12 Being a Court Reporter, I then</p> <p>13 reported the proceeding in Stenotype, and the</p> <p>14 foregoing pages contain a true and correct</p> <p>15 transcript of my said Stenotype notes then and</p> <p>16 there taken.</p> <p>17 I am not in the employ of and am not</p> <p>18 related to any of the parties or their counsel,</p> <p>19 and I have no interest in the matter involved.</p> <p>20 I FURTHER CERTIFY that in order for</p> <p>21 this document to be considered a true and correct</p> <p>22 copy, it must bear my signature seal, and that</p> <p>23 any reproduction in whole or in part of this</p> <p>24 document is not authorized and not to be</p> <p>25 considered authentic.</p> <p>12tl Witness my signature this, the</p> <p>19 </p> <p>20 POLLY W. WARDLAW, CCR, LCR</p> <p>21</p> <p>22 Notary Public at Large</p> <p>23 For the State of Mississippi</p> <p>24 My Commission Expires:</p> <p>25 June 4, 2025</p> <p style="text-align: right;">Page 34</p>	<p>1 jmalone@aabalegal.com</p> <p>2 October 12, 2021</p> <p>3 RE: Tilman, Marquis v. Clarke County, Et Al.</p> <p>4 DEPOSITION OF: Justin Rawson (# 4810395)</p> <p>5 The above-referenced witness transcript is</p> <p>6 available for read and sign.</p> <p>7 Within the applicable timeframe, the witness</p> <p>8 should read the testimony to verify its accuracy. If</p> <p>9 there are any changes, the witness should note those</p> <p>10 on the attached Errata Sheet.</p> <p>11 The witness should sign and notarize the</p> <p>12 attached Errata pages and return to Veritext at</p> <p>13 errata-tx@veritext.com.</p> <p>14 According to applicable rules or agreements, if</p> <p>15 the witness fails to do so within the time allotted,</p> <p>16 a certified copy of the transcript may be used as if</p> <p>17 signed.</p> <p>18 Yours,</p> <p>19 Veritext Legal Solutions</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 36</p>
<p>1 ERRATA SHEET FOR THE TRANSCRIPT OF:</p> <p>2 JUSTIN RAWSON</p> <p>3</p> <p>4 CORRECTIONS</p> <p>5 Page Line Now Reads Should Read Reasons</p> <p>6 _____</p> <p>7 _____</p> <p>8 _____</p> <p>9 _____</p> <p>10 _____</p> <p>11 _____</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 (Date) _____ Signature of Witness</p> <p>21 Sworn to and Subscribed before me, _____,</p> <p>22 this ____ day of _____, 20__.</p> <p>23 _____</p> <p>24 4810395</p> <p>25</p> <p style="text-align: right;">Page 35</p>	

[& - beat]

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[beaten - department]

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[maneuver - quickly]

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

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THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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